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Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
)

Amendment of Section 73.606(b),)
Table of Allotments,)
Analog Television Broadcast Stations.)
(Opelika, Alabama))
_____)

MM Docket No. 00-____
RM-_____

To: The Chief, Allocations Branch,
Policy and Rules Division,
Mass Media Bureau

PETITION FOR RULE MAKING

Pappas Telecasting of Opelika, a California Limited Partnership ("Pappas Telecasting"), in accordance with Section 1.401 of the Commission's Rules, hereby respectfully petitions the Commission to initiate a public-notice-and-comment rule making proceeding, pursuant to Section 1.420 of the Commission's Rules, for the purpose of amending the Commission's Table of Allotments for Analog Television Broadcast Stations, Section 73.606(b) of the Commission's Rules (the "Analog Table of Allotments"). The requested amendment to the Analog Table of Allotments would substitute the allotment of Analog Channel 19 (500-506 MHz) for the existing allotment of Analog Channel 66 (782-788 MHz) at Opelika, Alabama and would modify Pappas Telecasting's license from the Commission for primary analog UHF commercial

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television broadcasting station WSWs (TV), Analog Channel 66 in Opelika, Alabama, in order to specify operation on Analog Channel 19 in lieu of operation on Analog Channel 66. In support, Pappas Telecasting respectfully submits the following:

1. In the *Report and Order in ET Docket No. 97-157, Reallocation of Television Channels 60-69, the 746-806 MHz Band*, 12 FCC Rcd 22953 (1998), the Commission reallocated the 746-806 MHz band -- Channels 60 to 69 -- from the analog television broadcasting service to public safety use and commercial fixed, mobile, and other services. The Commission has encouraged the licensees of all incumbent analog television broadcasting stations operating within that band to vacate their channel allotments as soon as possible, assuming that they are able to identify a suitable replacement channel allotment in the band below Channel 60. *See Public Notice*, "Mass Media Bureau Announces Window Filing Opportunity for Certain Pending Applications and Allotment Petitions for New Analog TV Stations," DA 99-2605, released November 22, 1999, n. 1, 14 FCC Rcd 19559, n. 1. Pappas Telecasting's WSWs (TV) in Opelika, operating on Analog Channel 66, is such a station.

2. Attached to this Petition for Rule Making, as Appendix A, is the Engineering Statement of Neil M. Smith of the firm of Smith and Fisher in Washington, D.C., Pappas Telecasting's broadcast engineering consultant, dated February 22, 2000. Mr. Smith's Engineering Statement demonstrates that Analog Channel 19 may be allotted to Opelika, as a substitute for Analog Channel 66, in conformance with the Commission's distance separation requirements (with respect to other analog television broadcasting stations, pending applications for authorizations

for such stations, or channel allotments for such stations ^{1/}) and in conformance with the Commission's digital television broadcasting ("DTV") station interference protection requirements. Mr. Smith's Engineering Statement also demonstrates that from the proposed reference coordinates for the allotment of Analog Channel 19 to Opelika, WSWs (TV) would be able to achieve compliance with the Commission's city-grade field intensity signal coverage rule, Section 73.685(a) of the Rules. ^{2/}

3. Pappas Telecasting therefore respectfully urges the Commission to commence a rule making proceeding for the purpose of amending the Analog Table of Allotments, as set forth below. In the event that the Commission shall adopt such an amendment to the Analog Table of Allotments, Pappas Telecasting hereby states that it will promptly apply for the Commission's authorization to modify WSWs (TV)'s licensed facilities in order to specify operation on Analog Channel 19, in lieu of

^{1/} An exception is an unused, non-reserved allotment of Analog Channel 19 at Albany, Georgia. As Mr. Smith's Engineering Statement points out, since that allotment is not currently available for applications to the Commission requesting a construction permit to build a new television broadcasting station to operate on Analog Channel 19 in Albany, it has not been considered in his channel availability analysis.

^{2/} Mr. Smith's Engineering Statement in that regard relies upon calculations of predicted signal field intensity based upon the so-called "Longley-Rice" propagation model. Consistent with the *Memorandum Opinion and Order in In re Applications of Decatur Telecasting, Inc., et al. (KMPX (TV))*, 7 FCC Rcd 8622, 71 Rad.Reg.2d (P&F) 1193, 1992 FCC LEXIS 6659 (Chief, Video Services Division, Mass Media Bureau, 1992), Mr. Smith's Engineering Statement determined the predicted field strengths of the station's signal at a total of ninety-seven (97) designated points across the City of Opelika, each such point separated by one kilometer of distance from each other on radials that are one degree apart from each other. The median predicted field strength of WSWs (TV)'s signal at those ninety-seven points is 85 dBu, which exceeds the minimum city-grade requirement of 80 dBu.

operation on Analog Channel 66, and upon the grant of such an authorization, Pappas Telecasting will expeditiously accomplish the channel change. ^{3/}

WHEREFORE, the Commission is respectfully urged to initiate a public-notice-and-comment rule making proceeding for the purpose of amending its Analog Table of Allotments as follows:


<u>City and State:</u>	<u>Present:</u>	<u>Proposed:</u>
Opelika, Alabama	50, 66	19, 50. ^{4/}

^{3/} There is currently pending before the Commission Pappas Telecasting's application in File No. BPCT-960626KH, in which Pappas Telecasting requests a construction permit authorizing Pappas Telecasting to make minor changes in WSWs (TV)'s facilities, including -- *inter alia* -- a relocation of the station's antenna to the site that is used as the reference coordinates for the allotment of Analog Channel 19 in Mr. Smith's Engineering Statement appended to this Petition for Rule Making. That application, as originally filed on June 26, 1996, requested a waiver of Section 73.685(a) with respect to WSWs (TV)'s ability to place a predicted signal of city-grade field intensity or greater over at least eighty percent (80%) of Opelika. On March 6, 2000, the application in File No. BPCT-960626KH was amended. The amendment, citing the *Decatur Telecasting* precedent, footnote 2, *supra*, submitted an Engineering Statement from Mr. Smith that includes the same showing as set forth in Appendix A to this Petition for Rule Making, *i.e.*, reliance upon the Longley-Rice method for calculating predicted signal strengths and the median predicted signal strength of WSWs (TV) at the ninety-seven (97) designated points across the City of Opelika.

^{4/} There is currently pending before the Commission Pappas Telecasting's Petition for Rule Making, filed on September 9, 1999 and supplemented on December 9, 1999, that requests the Commission to initiate a public-notice-and-comment rule making proceeding pursuant to Section 1.420(i) of the Commission's Rules. The goal of such a proceeding would be to amend both the Analog Table of Allotments, Section 73.606(b) of the Rules, and the DTV Table of Allotments, Section 73.622(b) of the Rules. The requested amendments would remove the
(continued...)

Respectfully submitted,

**PAPPAS TELECASTING OF OPELIKA,
A CALIFORNIA LIMITED PARTNERSHIP**

By: 
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David D. Burns
Kathrine L. Calderazzi
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March 8, 2000

4/(...continued)

allotments of Analog Channel 66 and Digital Channel 31 (572-578 MHz) from Opelika to Phenix City, Alabama and would modify Pappas Telecasting's license from the Commission for WSWs (TV) in order to reflect a change in the station's city of license from Opelika to Phenix City. The instant Petition for Rule Making -- proposing to substitute Analog Channel 19 in Opelika for Analog Channel 66 in Opelika -- is subject to the outcome of the Petition for Rule Making filed on September 9, 1999, and *vice versa*; that is to say, the two proceedings are not mutually dependent (in the sense that if one is not adopted, the other must perforce also fail), but rather each is independent of the other but subject to the outcome of the other. Ideally, both Petitions for Rule Making will be granted, with the result that Analog Channel 19 and Digital Channel 31 would be allotted to Phenix City, leaving Opelika with an allotment of Analog Channel 50 (686-692 MHz).

APPENDIX A

EXHIBIT A

ENGINEERING STATEMENT

The engineering data contained herein have been prepared on behalf of PAPPAS TELECASTING OF OPELIKA, licensee of WWSW(TV), Channel 66, Opelika, Alabama, in support of its Petition for Rulemaking to change operation to Channel 19.

The reference coordinates for this proposed allotment are 32-19-25, 84-46-46, which describe an existing tower from which the Channel 19 facility would operate. Exhibit B is an Allocation Study which demonstrates that the specified site meets all NTSC spacings. As noted, there is an unused, non-reserved, Channel 19 allotment in Albany, Georgia, 101.7 kilometers from the proposed site, but because this allotment is not available for application, it has not been considered in our studies.

With respect to DTV allotments, we have conducted the equivalent of a *de minimis* interference analysis, similar to that supplied with DTV applications, using the V-Soft Communications "Probe" computer program, which has been found generally to mimic the FCC's program. The results of the study are included as Exhibit C, and show an absence of objectionable interference. This study assumed facilities of 5000 kw, directional, at 443 meters. Exhibit D is a copy of Page 14 of Form 301 providing the technical specifications of the facility, and Exhibit E provides full data on the specified antenna system.

With the proposed facilities, the predicted 80 db μ (city grade) contour would not cover all of Opelika. However, we note that the terrain from the proposed site to Opelika rises about 300 feet, making it likely that the predicted contour distances are different from that which may exist in practice. Thus, the submission of a supplemental showing, as authorized in §73.684(f), is appropriate in this case.

EXHIBIT A

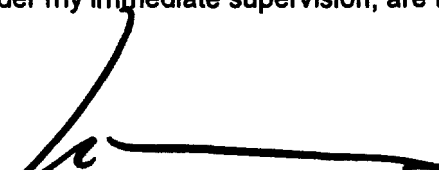
Exhibit F-1 shows a portion of the predicted 80 db μ contour and the Opelika city boundary. Also shown in orange are the areas receiving 80 db μ service as established through the use of the Longley-Rice propagation model and V-Soft Communications software. It may be seen that much of Opelika is shown to receive fields in excess of 80 db μ .

To quantify this, we made Longley-Rice calculations at one kilometer increments along radials one degree apart through Opelika. The points for which calculations were made are shown in Exhibit F-2, and it may be seen that our technique resulted in a slightly distorted rectangular grid similar to what one would construct for making field strength measurements under §73.686(c). This makes for a evenly-distributed set of 97 field strength calculations covering the entire area within the Opelika boundary.

The calculated data is tabulated in Exhibit G, and plotted statistically in Exhibit H. As indicated, the median field strength in Opelika is 85.0 db μ , and fields in excess of 80 db μ exist over three-quarters of Opelika. This is a proper demonstration of compliance with §73.685(a), as the Commission stated in its 1992 Memorandum Opinion and Order in BMPCT-880616KE.

On this basis, it has been demonstrated that the proposed change from Channel 66 to Channel 19 would meet all NTSC spacing requirements; would cause negligible interference to digital allotments; and would permit proper service to the Community of License.

I declare under penalty of perjury that the foregoing statements and the attached exhibits, which were prepared by me or under my immediate supervision, are true and correct to the best of my knowledge and belief.



NEIL M. SMITH

February 22, 2000

EXHIBIT B

NTSC ALLOCATION STUDY
 PROPOSED WWSW(TV)
 CHANNEL 19 - OPELIKA, ALABAMA

<u>Channel</u>	<u>Nearest Allotment</u>	<u>Separation (km.)</u>		
		<u>Required</u>	<u>Proposed</u>	<u>Difference</u>
14	WABW-TV, Pelham, GA	31.4	146.4	+ 115.0
15	WPMI, Mobile, AL	31.4	331.2	+ 229.8
16	Alloc., Munford, AL	31.4	172.8	+ 141.4
17	WTBS, Atlanta, GA	31.4	165.9	+ 134.5
18	WDHN, Dothan, AL	87.7	130.2	+ 42.5
19*	WHNT-TV, Huntsville, AL	280.8	313.5	+ 32.7
20	WCOV-TV, Montgomery, AL	87.7	136.1	+ 48.4
21	WTOO, Homewood, AL	31.4	229.2	+ 197.8
22	WBMM, Tuskegee, AL	31.4	113.5	+ 82.1
23	Alloc., Ashburn, GA	31.4	126.0	+ 94.6
24	WGXA, Macon, GA	31.4	123.9	+ 92.5
26	WAIQ, Montgomery, AL	95.7	142.4	+ 46.7
27	Alloc., Draceton, GA	31.4	99.6	+ 68.2
33	Alloc., Valdosta, GA	95.7	218.4	+ 122.7
34	WDFX-TV, Ozark, AL	119.9	146.8	+ 26.9

* There is an unused non-reserved Channel 19 allotment in Albany, Georgia, at a distance of 101.7 kilometers. Since this allotment is not available for application, it has not been considered herein.

EXHIBIT C

DTV INTERFERENCE ANALYSIS

PROPOSED WWS(TV)
CHANNEL 19 - OPELIKA, ALABAMA

Call	Location	Ch.	Interference Losses (Population)				%
			Longley-Rice DTV Population	NTSC & DTV Without WWS	NTSC & DTV With WWS	Unmasked WWS Contribution	
WGNX-DT*	Atlanta, GA	19	3,104,814	8,875	13,964	5,089	0.16
WMBB-DT**	Panama City, FL	19	478,046	3,833	5,432	1,599	0.33

* Allotment Facility

** Application Facility

SECTION III-C TV Engineering

TECHNICAL SPECIFICATIONS

Ensure that the specifications below are accurate. Contradicting data found elsewhere in this application will be disregarded. All items must be completed. The response "on file" is not acceptable.

TECH BOX

1.	Channel Number:	<u>19</u>																				
2.	Offset:	Plus _____	Minus <u>X*</u> _____	Zero _____																		
3.	Zone:	<input type="checkbox"/> I	<input checked="" type="checkbox"/> II	<input type="checkbox"/> III																		
4.	Antenna Location Coordinates: (NAD 27)	<table border="0"> <tr> <td><u>32</u></td> <td>°</td> <td><u>19</u></td> <td>'</td> <td><u>25</u></td> <td>"</td> <td><input checked="" type="checkbox"/> N</td> <td><input type="checkbox"/> S</td> <td>Latitude</td> </tr> <tr> <td><u>84</u></td> <td>°</td> <td><u>46</u></td> <td>'</td> <td><u>46</u></td> <td>"</td> <td><input type="checkbox"/> E</td> <td><input checked="" type="checkbox"/> W</td> <td>Longitude</td> </tr> </table>			<u>32</u>	°	<u>19</u>	'	<u>25</u>	"	<input checked="" type="checkbox"/> N	<input type="checkbox"/> S	Latitude	<u>84</u>	°	<u>46</u>	'	<u>46</u>	"	<input type="checkbox"/> E	<input checked="" type="checkbox"/> W	Longitude
<u>32</u>	°	<u>19</u>	'	<u>25</u>	"	<input checked="" type="checkbox"/> N	<input type="checkbox"/> S	Latitude														
<u>84</u>	°	<u>46</u>	'	<u>46</u>	"	<input type="checkbox"/> E	<input checked="" type="checkbox"/> W	Longitude														
5.	Antenna Structure Registration Number:	<u>1019721</u>																				
		<input type="checkbox"/> Not applicable	<input type="checkbox"/> FAA Notification Filed with FAA																			
6.	Height of Radiation Center Above Mean Sea Level:	<u>569</u>	meters																			
7.	Overall Tower Height Above Ground Level:	<u>533</u>	meters																			
8.	Height of Radiation Center Above Ground Level:	<u>416</u>	meters																			
9.	Height of Radiation Center Above Average Terrain:	<u>443</u>	meters																			
10.	Maximum Effective Radiated Power (ERP):	<u>5000</u>	kW																			
11.	Antenna Specifications:	<table border="1"> <tr> <td>a.</td> <td>Manufacturer <u>Andrew</u></td> <td>Model <u>ATW25H3-HSP-19</u></td> </tr> </table>			a.	Manufacturer <u>Andrew</u>	Model <u>ATW25H3-HSP-19</u>															
a.	Manufacturer <u>Andrew</u>	Model <u>ATW25H3-HSP-19</u>																				
	b. Electrical Beam Tilt:	<u>0.75</u> degrees	<input type="checkbox"/> Not Applicable																			
	c. Mechanical Beam Tilt:	<u>--</u> degrees toward azimuth	<u>--</u> degrees True	<input checked="" type="checkbox"/> Not Applicable																		
	Attach as an Exhibit all data specified in 47 C.F.R. Section 73.685.																					
	d. Polarization:	<input checked="" type="checkbox"/> Horizontal	<input type="checkbox"/> Circular	<input type="checkbox"/> Elliptical																		

*Suggested

<p align="center">EXHIBIT D</p> <p align="center">PROPOSED OPERATING PARAMETERS</p> <p align="center">PROPOSED WSWs(TV) CHANNEL 19 - OPELIKA, ALABAMA</p> <p align="center">SMITH AND FISHER</p>

ANDREW ELEVATION PATTERN

Type:	ATW25H3H	
Directivity:	Numeric	dBd
Main Lobe	25.00	13.98
Horizontal	16.97	12.30
Beam Tilt:	0.75 Degrees	
Polarization:		
Channel:		
Location:		

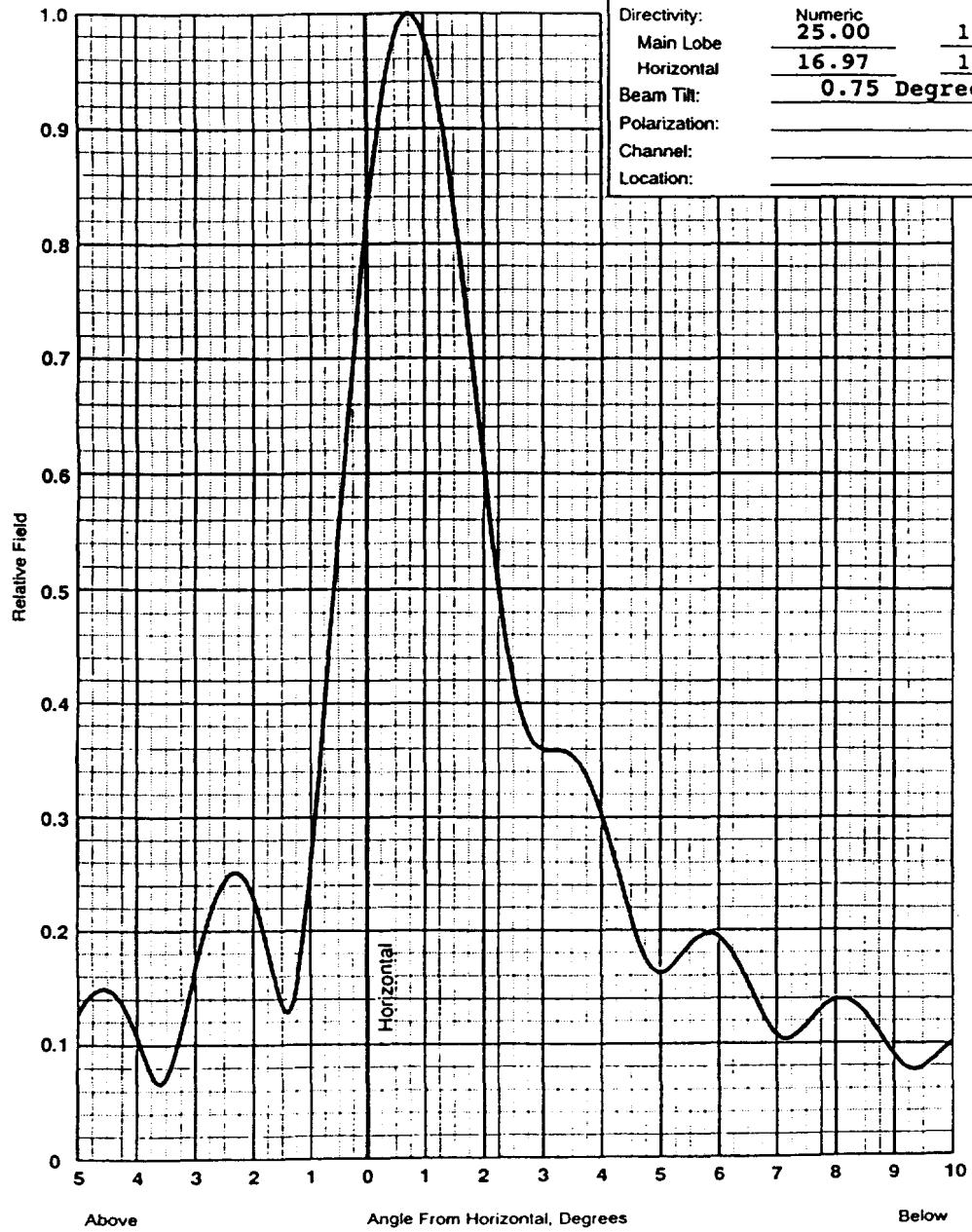


EXHIBIT E-1

VERTICAL RELATIVE FIELD PATTERN

**PROPOSED WSWs(TV)
CHANNEL19 - OPELIKA, ALABAMA**

SMITH AND FISHER

ANDREW **AZIMUTH PATTERN**

Type: _____

	Numeric	dBd
Directivity:	2.29	(3.60)
Peak(s) At:	_____	
Polarization:	Horizontal	
Channel:	_____	
Location:	_____	

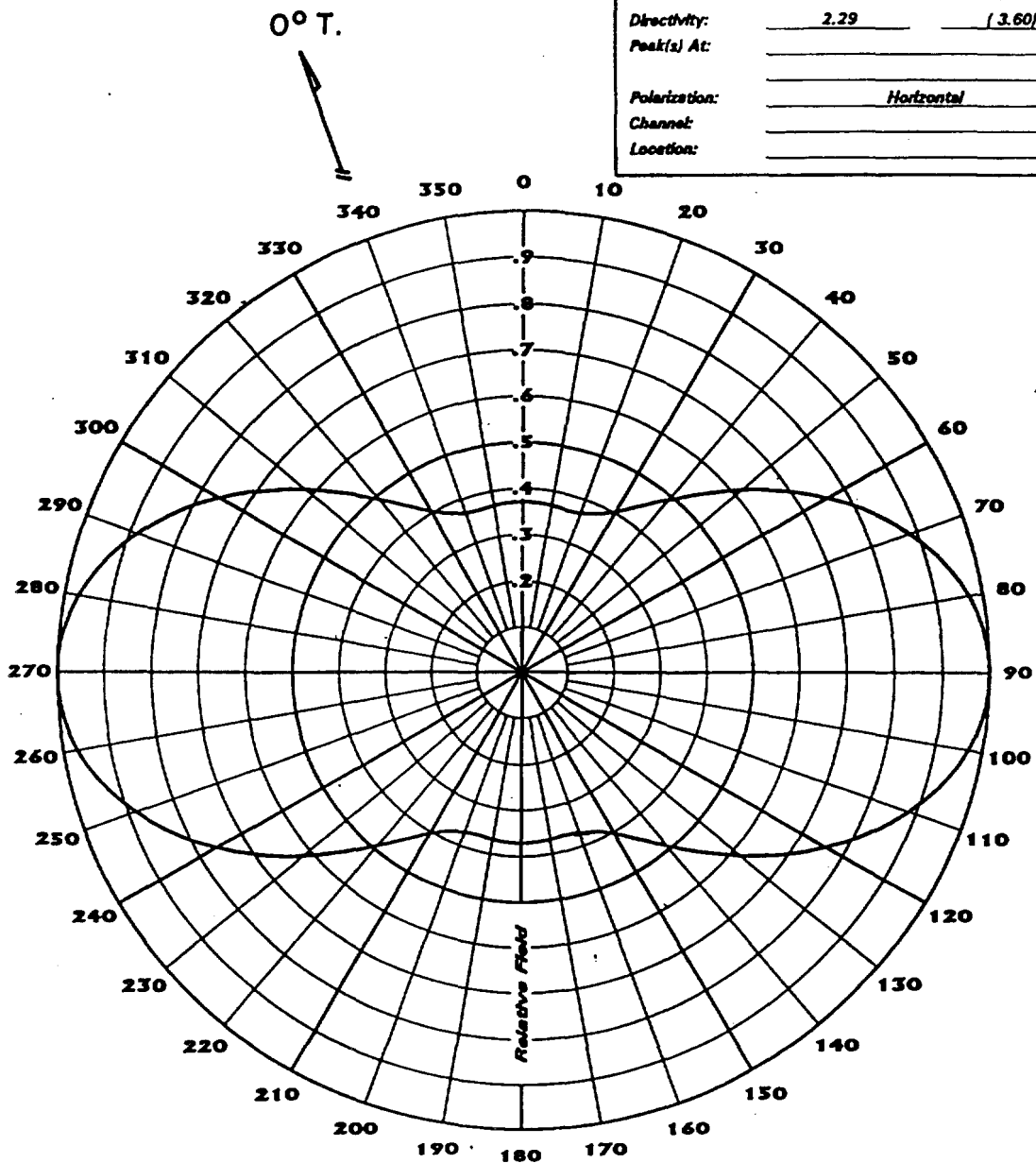


EXHIBIT E-2

HORIZONTAL RELATIVE FIELD PATTERN

**PROPOSED WWSW(TV)
 CHANNEL 19 - OPELIKA, ALABAMA**

SMITH AND FISHER

MAIN LOBE
DIRECTIONAL ANTENNA PATTERN DATA

PROPOSED WSWs(TV)
CHANNEL 19 - OPELIKA, ALABAMA

<u>Azimuth</u> <u>(° T)</u>	<u>Relative</u> <u>Field</u>	<u>ERP</u> <u>(dbk)</u>	<u>Azimuth</u> <u>(° T)</u>	<u>Relative</u> <u>Field</u>	<u>ERP</u> <u>(dbk)</u>
0	0.37	28.4	180	0.37	28.4
10	0.37	28.4	190	0.37	28.4
20	0.37	28.4	200	0.37	28.4
30	0.37	28.4	210	0.37	28.4
40	0.37	28.4	220	0.37	28.4
50	0.40	29.0	230	0.40	29.0
60	0.49	30.8	240	0.49	30.8
70	0.62	32.8	250	0.62	32.8
80	0.76	34.6	260	0.76	34.6
90	0.88	35.9	270	0.88	35.9
100	0.97	36.7	280	0.97	36.7
110	1.00	37.0	290	1.00	37.0
120	0.97	36.7	300	0.97	36.7
130	0.88	35.9	310	0.88	35.9
140	0.76	34.6	320	0.76	34.6
150	0.62	32.8	330	0.62	32.8
160	0.49	30.8	340	0.49	30.8
170	0.40	29.0	350	0.40	29.0

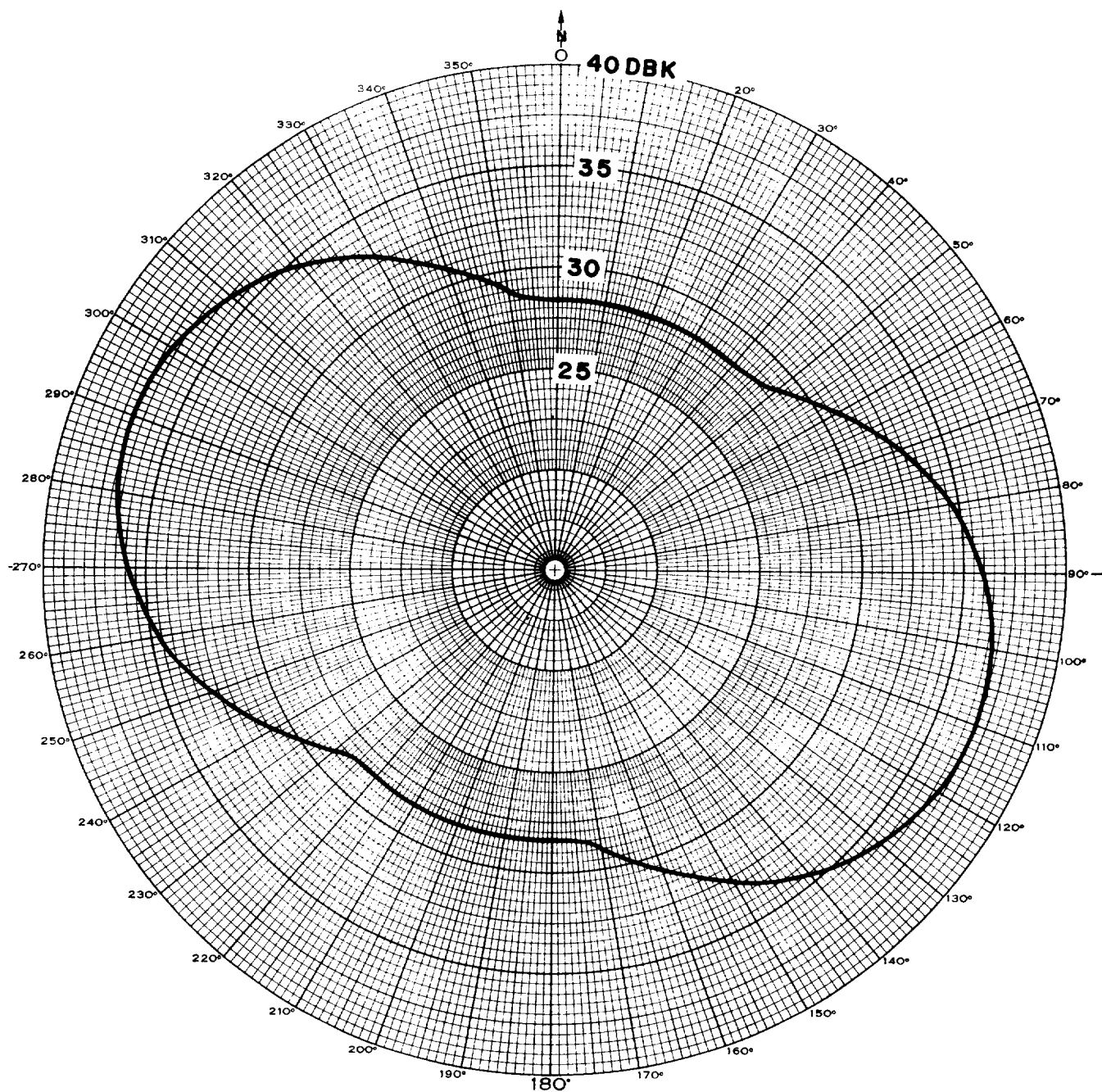
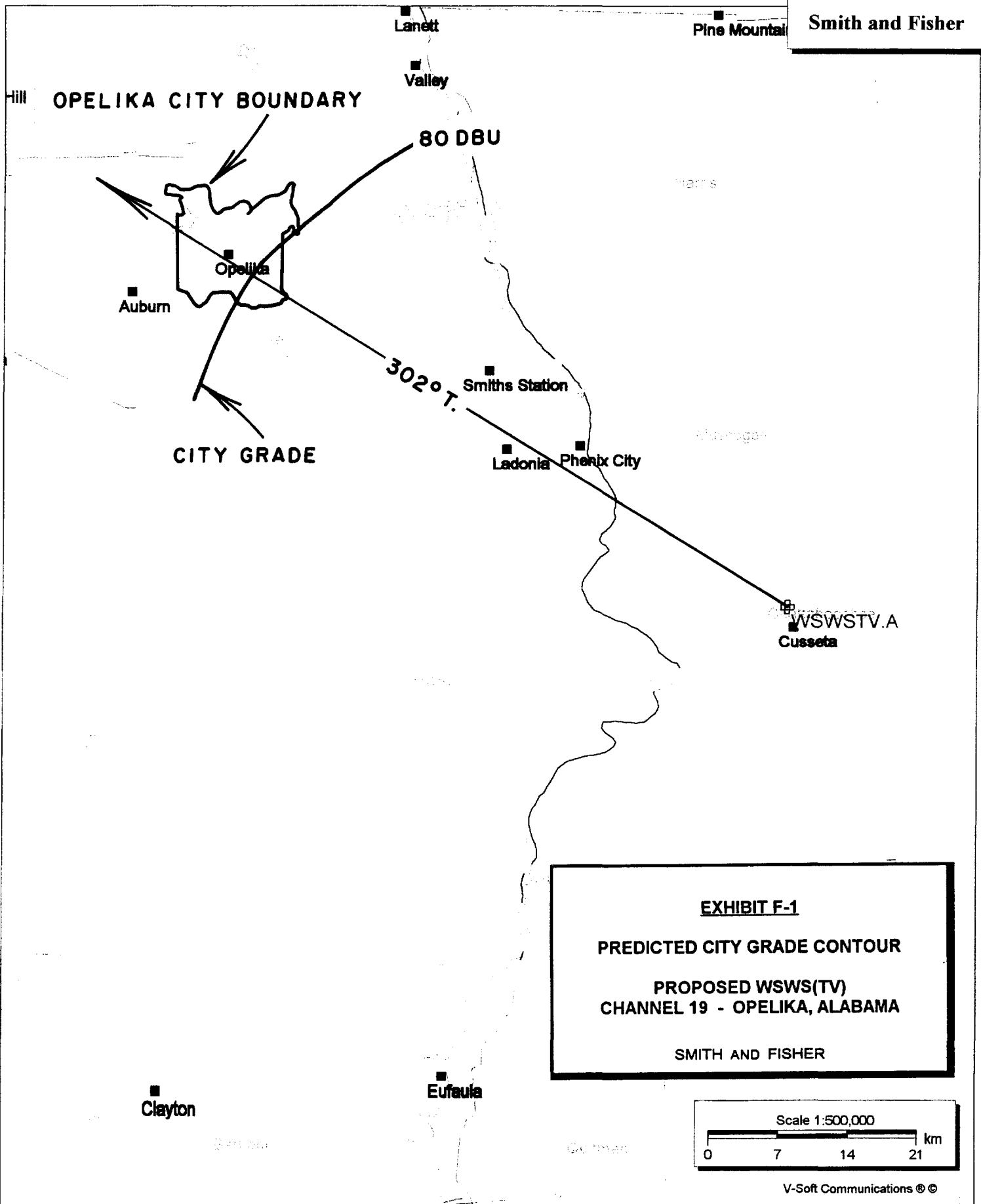


EXHIBIT E-4

MAIN LOBE POWER PATTERN

**PROPOSED WWS(TV)
CHANNEL 19 - OPELIKA, ALABAMA**

SMITH AND FISHER



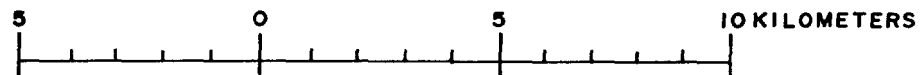
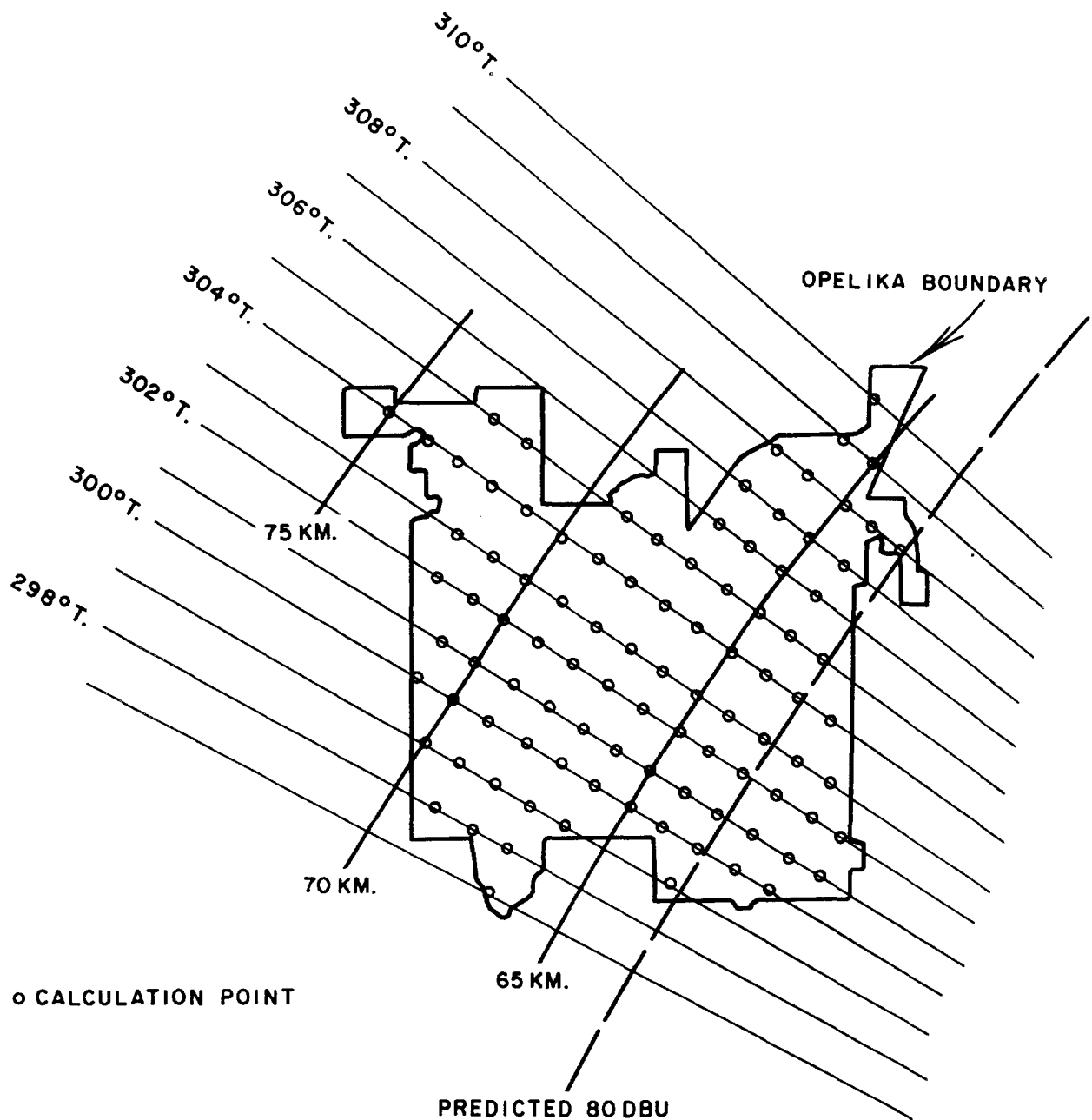


EXHIBIT F-2

**POINTS OF FIELD STRENGTH CALCULATION
(LONGLEY-RICE)**

**PROPOSED WSWs(TV)
CHANNEL 19 - OPELIKA, ALABAMA**

SMITH AND FISHER

EXHIBIT G

CALCULATED LONGLEY-RICE FIELD STRENGTH (DB μ)
OPELIKA, ALABAMA, GRID

PROPOSED WSWS(TV)
CHANNEL 19 - OPELIKA, ALABAMA

Distance From Transmitter (km)	Azimuth (° T)													
	297	298	299	300	301	302	303	304	305	306	307	308	309	310
60					108.0	108.1								
61				108.1	108.0	107.9	107.8							
62				85.2	107.8	107.3	82.7	84.7						
63			106.3	106.8	106.6	83.8	86.1	70.8	81.0			102.1		
64				106.5	84.0	72.4	80.9	78.9	78.9	104.6	103.0	104.7		
65				105.8	104.8	86.9	76.9	80.4	103.8	104.7	104.7	101.5	76.0	
66			83.0	104.1	81.0	101.5	100.4	83.5	104.2	78.3	78.3	82.2	76.0	99.8
67	103.5	66.5	83.0	103.8	81.0	83.0	102.7	102.0	104.5	103.1	80.6	83.6		
68		100.9	103.6	81.9	100.5	82.5	70.3	101.0	77.7					
69		102.4	100.9	83.2	99.3	82.5	71.8	97.4	84.5					
70			100.8	82.4	97.8	75.0	85.0	81.5						
71				99.8	75.8	65.8	85.0	71.5						
72						66.3	79.0	71.4	76.1					
73								73.3	72.3					
74								81.4						
75								74.6						

